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ATTORNEYS FOR LYCOMING ENGINES, A DIVISION OF AVCO CORPORATION
AND TEXTRON INNOVATIONS, INC.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE	§	
	§	
SUPERIOR AIR PARTS, INC.,	§	CHAPTER 11
	§	CASE NO. 08-36705-BJH-11
DEBTOR.	§	

OBJECTION TO MOTION TO REOPEN CASE

COMES NOW Lycoming Engines, a division of AVCO Corporation and Textron Innovations, Inc. (“AVCO”), a party in interest, and files this its Objection to Motion to Reopen Case, and in support thereof would respectfully show the Court as follows:

1. AVCO opposes the Debtor’s Motion to Reopen Case (“Motion”), and AVCO respectfully asks the Court to deny the Motion.
2. This case was closed on October 9, 2010.
3. After the case was closed, AVCO was sued in several cases, and AVCO asked Superior Air Parts, Inc. (“Superior”) to perform on its contractual obligation to indemnify AVCO pursuant to the 1999 Agreement referred to in the Motion.
4. Superior has not indemnified AVCO as requested, and the failure of Superior to indemnify AVCO is a post-closing breach of the 1999 Agreement.

5. Because the breach occurred after this case was closed, AVCO filed the State Civil Action against Superior in the State Court, and Superior removed the State Civil Action to this Court on March 14, 2012 in adversary proceeding no. 12-03035-bjh (“the Adversary Proceeding”).

6. This Court has set a status conference in the Adversary Proceeding for the same time as the hearing on the Motion.

7. By the time of the status conference in the adversary proceeding, Plaintiff will have filed its First Amended Petition, Response to Motion to Dismiss and Motion to Remand.

8. AVCO respectfully submits that, upon resolution of the Motion to Remand, this Court will remand the Adversary Proceeding to the State Court.

9. Accordingly, AVCO respectfully submits that the Court should conclude that there is no need to reopen the case and that the Motion should be denied.

WHEREFORE, PREMISES CONSIDERED, AVCO prays the Court, after notice and hearing, deny the Motion and grant AVCO such other and further relief as to which it may be entitled, either at law or in equity.

Respectfully submitted,

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By: /s/ Dennis Olson
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OF AVCO CORPORATION AND TEXTRON
INNOVATIONS, INC.

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of April 2012, a true and correct copy of the foregoing document was sent via electronic means or by first class mail, postage prepaid to the persons shown below:

Jerry C. Alexander
Passman & Jones
1201 Elm Street, Suite 2500
Dallas, Texas 75270-2599

U.S. Trustee
1100 Commerce Street, Room 976
Dallas, Texas 75242-1496

Stephen A. Roberts
Strasburger & Price, LLP
600 Congress Avenue, Suite 1600
Austin, Texas 78701

and

all parties receiving notice electronically

/s/ Dennis Olson
Dennis Olson